

REMARKS

This paper addresses the Office Action mailed October 17, 2008. The Applicant notes with appreciation the allowance of claims 1-16 and withdrawal of all previous rejections.. Claims 17-78 stand rejected. Claims 18, 20-23, 27, 32, 34, 35, 40, 46, 66 and 75 have been amended solely to correct informalities and improve clarity, without any intended change of claim scope. No new matter is added and the amendment is supported by the originally file specification and drawings.

Claims 17-78 stand rejected over U.S. Patent 5,408,417 (“Wilder”) under what is characterized as a rejection under 35 U.S.C. 102(b) or 103(a). Applicant notes that the explanation of the rejection purports to identify every feature in the claims as “disclosed” in Wilder. However, there is not a single mention of modification of the Wilder reference, or combination with another reference, or any other required element of a rejection under Section 103. For this reason, Applicant respectfully submits that no rejection has been made under Section 103 to which Applicant is capable of forming a response. Accordingly, Applicant addresses the rejection only as a Section 102(b) rejection.

Applicant respectfully submits that the Office Action has as alleged that Wilder teaches each and every limitation of every pending claim. However, the Office Action has not identified **any** particular elements in Wilder that allegedly correspond to even a single structure in Wilder for **any** of Applicant’s dependent claims, or for many of the features in Applicant’s independent claims. Applicant respectfully submits that this is effectively an improper omnibus rejection of the claims. *See* MPEP 707.07(d); *see also* 37CFR 1.104(c)(2) (“In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.”).

Applicant also traverses the rejection, for the reasons detailed below. Claim 17 recites

17. A lottery ticket dispensing system, comprising:

a plurality of lottery ticket dispensers located at different retail locations, each of the lottery ticket dispensers comprising

a fault store which stores a fault threshold representing an operating state of the lottery ticket dispenser, and a fault having two states;

a controller in electrical communications with the lottery ticket dispenser and the fault store, the controller switching the fault to a first state in response to detecting the operating state of the lottery ticket dispenser represented by the fault threshold, and **producing an alarm in response to detecting only a deterioration of the fault;** and

a host computer located geographically remotely from the retail locations, **the host computer being in electrical communication with, and receiving the alarm from, the controller.**

Wilder does not teach or suggest a fault store and no such fault store is identified in the Office Action. Wilder does not teach or suggest a controller that produces an alarm. The only alarm even mentioned in Wilder is from an alarm board, not a controller. In fact the entire discussion even arguably related to alarm capability in Wilder is as follows:

The alarm board 25 in the console is connected to an alarm keypad 25A for inputting a security code and is connected to one or more sensors 25B at strategic locations on the console for sensing motion or unauthorized opening of the doors. The alarm board 25 is connected to the audio amplifier 26 which is connected to a loudspeaker 31 for sounding an audible alarm upon detection of motion by the sensors 25B. The audio amplifier 26 is provided with a volume control 32.

Essentially, all Wilder describes is a motion or door open sensor alarm. The Office Action cites Wilder 5:31-38 as alleged teaching a host computer receiving the alarm from the controller. Wilder 5:31-38, shown below, has no mention of alarms whatsoever.

A modem 44 is connected to the serial port 43 and to a telephone line for data communication between the microcomputer and a remote location. The touch sensitive video display screen 28 is connected to the serial port 43. A check verifier 45, a credit card reader 46, a bill validator 47, and a change dispenser 48 are connected to the microcomputer 30 via the serial I/O port 40.

There is no discussion of sending alarms to a remote host computer in Wilder whatsoever.

Accordingly, Wilder does not anticipate Applicant's claim 17 and the rejection should be withdrawn..

Claims 18-and 19 depend from claim 17, therefore should be allowable for at least the same reasons as claim 17. Moreover, claim 18 recites storing "instant win lottery tickets" and "a separator configured to separate an instant win lottery ticket from [a] continuous

strip.”. Neither of these elements has been identified in Wilder in the Office Action, and Applicant respectfully submits that neither is taught or suggested by the Wilder reference.

Claim 20, like claim 17, recites the host computer receiving an alarm that is completely absent from Wilder. Moreover, claim 20 recites “a fault store” and a “fault” switchable in response to a state of the bill acceptor. The Office Action cites Wilder elements 38,40, 41,50 as allegedly being a “fault store”. Element 38 is described in Wilder as a hard disk. There is no discussion in Wilder of using the hard disk in any sort of alarming or fault detection. Wilder element 40 is a serial port, and thus is not a “fault store”. Wilder element 41 is a CD-ROM controller. As Wilder’s CD-ROM is a read-only device, it certainly cannot be a “fault store”. Wilder element 50 is a RAM, but Wilder is silent as to any sort of storage of fault related to the bill acceptor being stored in the RAM. In fact, Wilder is completely silent as to any sort of monitoring of the state of the bill acceptor. Claim 21 depends from claim 20 and therefore should be allowable for at least the same reason as claim 20. Moreover, claim 21 recites instant win lottery tickets, which are completely absent from Wilder.

Claim 22 recites a host computer receiving an alarm, and also recites a fault store and fault related to the state of a cash acceptor. These features are neither taught nor suggested by Wilder, as discussed above with respect to claims 17 and 20. Claim 22 should therefore be allowable. Claims 23-25 depend from claim 22 and therefore should be allowable for at least the same reasons as claim 22.

Claim 26 recites a controller producing an alarm and a host computer receiving the alarm, features neither taught nor suggested by Wilder, as discussed above. Therefore claim 26 should be allowable over Wilder. Claim 27-30 depend from claim 26 and should therefore be allowable for at least the same reasons as claim 26.

Claim 31 recites a fault store with a plurality of fault thresholds. The Office Action does not identify where these fault threshold are found in Wilder, and Applicant respectfully submits they are neither taught nor suggested by Wilder. Accordingly, claim 30 should be allowable over Wilder. Claims 32-33 depend from claim 31 and therefore should be allowable for at least the same reasons.

Claim 34 recites a fault store, a controller producing an alarm in response to a change of fault state, and a host computer receiving the alarm. As discussed above, these features have not been identified in Wilder by the Office Action. It is respectfully submitted they are neither taught nor suggested by Wilder. Accordingly, Claim 34 should be allowable. Claims

35 to 38 depend from claim 34 and should therefore be allowable for at least the same reasons.

Claim 39 recites a fault store, a controller producing an alarm in response to a change of fault state, and a host computer receiving the alarm. As discussed above, these features have not been identified by the Office Action. It is respectfully submitted they are neither taught nor suggested by Wilder. Accordingly, Claim 39 should be allowable. Claims 40 to 45 depend from claim 39 and should therefore be allowable for at least the same reasons.

Claim 46 recites a fault store tied to the state of a bill acceptor, a controller producing an alarm in response to a change of fault state, and a host computer receiving the alarm. As discussed above, these features have not been identified by the Office Action. It is respectfully submitted they are neither taught nor suggested by Wilder. Accordingly, Claim 46 should be allowable. Claims 47 to 50 depend from claim 46 and should therefore be allowable for at least the same reasons.

Claim 51 recites a fault store tied to the state of a cash acceptor, a controller producing an alarm in response to a change of fault state, and a host computer receiving the alarm. As discussed above, these features have not been identified by the Office Action. It is respectfully submitted they are neither taught nor suggested by Wilder. Accordingly, Claim 51 should be allowable. Claims 52 to 53 depend from claim 46 and should therefore be allowable for at least the same reasons.

Claim 54 recites a fault store tied to the inventory of lottery tickets, a controller producing an alarm in response to a change of fault state, and a host computer receiving the alarm. As discussed above, these features have not been identified by the Office Action. It is respectfully submitted they are neither taught nor suggested by Wilder. Accordingly, Claim 54 should be allowable. Claims 55 to 59 depend from claim 54 and should therefore be allowable for at least the same reasons.

Claim 60 recites a fault store tied to the inventory of lottery tickets, a controller producing an alarm in response to a change of fault state, and a host computer receiving the alarm. As discussed above, these features have not been identified by the Office Action. It is respectfully submitted they are neither taught nor suggested by Wilder. Accordingly, Claim 54 should be allowable. Claims 61 to 64 depend from claim 60 and should therefore be allowable for at least the same reasons.

Claim 65 recites a an alarm produced by the controller in response to the deterioration of a state of the instant lottery ticket vending machine. As discussed above, these features have not been identified by the Office Action. It is respectfully submitted they are neither

taught nor suggested by Wilder. Accordingly, Claim 54 should be allowable. Claims 55 to 66 depend from claim 73 and should therefore be allowable for at least the same reasons.

Claim 74 recites a controller sending a fault message towards a remote host computer when a fault occurs.. As discussed above, this feature has not been identified by the Office Action. It is respectfully submitted they are neither taught nor suggested by Wilder. Accordingly, Claim 74 should be allowable. Claims 75 to 78 depend from claim 74 and should therefore be allowable for at least the same reasons.

CONCLUSION

All issues raised in the Office Action are believed to have been addressed. In light of the foregoing, it is respectfully submitted that all of the presently pending claims are in condition for allowance. Entry of the amendment, and prompt reconsideration and allowance of the present application are therefore earnestly solicited. The Commissioner is authorized to charge any fee arising in connection with the filing of this paper, including any necessary extension of time, to the deposit account of **K&L Gates LLP**, Deposit Account No. **0080570**. The Examiner is cordially invited to telephone the undersigned if any issue or question arises with respect to the present application.

Respectfully submitted

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